

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA,

- v. -

**AFFIRMATION IN
SUPPORT OF
DEFENDANT'S
MOTION TO
SUPPRESS**

07 Cr. 445 (JSR)

RAYMOND CHARLES ALBERT,
Defendant.

-----X

STATE OF NEW YORK)

) ss.:

COUNTY OF NEW YORK)

EDWARD V. SAPONE, an attorney duly admitted to practice law before the
United States District Court for the Southern District of New York, being duly sworn,
deposes and says:

1. I am retained counsel to Defendant Raymond Charles Albert. My law office is located at One Penn Plaza, Suite 5315, New York, New York 10119.
2. This affirmation is submitted in support of Mr. Albert's Notice of Motion and Memorandum of Law seeking an order: (1) directing that all pre-Mirandized statements made by Mr. Albert, and all fruits thereof, be suppressed; and (2) directing that all post-Mirandized statements made by Mr. Albert and all fruits thereof, be suppressed; or in the alternative, (3) permitting a hearing to be conducted to determine whether pre-warning and post-warning statements made by Mr. Albert should be suppressed; and (4) permitting a hearing to be conducted to determine whether Mr. Albert's presentment before a Court was unreasonable, and, as such, whether statements

made during Mr. Albert's pre-presentment delay should be suppressed because they were involuntary as a matter of law.

3. All of the facts and circumstances described in the attached Memorandum of Law are true and accurate to the best of my knowledge based upon: (a) my personal knowledge gained through my review of the case file, my investigation, and investigations conducted at my request; (b) relevant statutory and case law; and (c) good faith information and belief.

WHEREFORE, Defendant Raymond Charles Albert respectfully requests that this Honorable Court grant the relief sought in the attached motion papers and any additional relief the Court deems proper.

Dated: New York, New York
July 23, 2007

Respectfully submitted,

/s/
Edward V. Sapone (ES-2553)
Attorney for Defendant
Raymond Charles Albert